

AMENDED IN ASSEMBLY AUGUST 21, 2006

CALIFORNIA LEGISLATURE—2005–06 SECOND EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 1

**Introduced by Assembly Members ~~Lieber and Goldberg~~ Member
*Lieber***

June 27, 2006

An act to add Section 3409.25 ~~of~~ *to* the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1, as amended, Lieber. Female Offender Program.

Existing law provides for the care and custody of women female inmates under the jurisdiction of the Department of Corrections and Rehabilitation.

This bill would require the department to develop a community-based female offender program comprised of a continuum of facilities for nonserious, nonviolent female inmates. The bill would require the department to secure 4,500 beds over 2 years in facilities that provide an array of services to promote successful reentry into society. *This bill would prohibit correctional staff in residential or therapeutic areas. This bill would also require the department to obtain legislative approval to convert any of the state women's correctional facilities into facilities housing male inmates.*

This bill would also require the department to report to the Legislature by June 30, 2011, on the effectiveness of community correctional centers in rehabilitating female offenders.

The bill would state the intent of the Legislature relative to community correctional facilities, require a report to the Legislature one year after the facilities commence operation regarding

implementation of the community facilities program, and require the department to ensure community correctional facilities meet any standards set forth for the department by court order or receivership.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3409.25 is added to the Penal Code, to
2 read:

3 3409.25. The department shall develop a community-based
4 female offender program comprised of a continuum of facilities
5 for nonserious and nonviolent female inmates whereby inmates
6 are matched in a cost-effective manner with the facility that best
7 achieves the goals of public protection and successful reentry.

8 (a) The continuum shall include community correctional
9 centers to house inmates closer to their communities, halfway
10 house facilities to support the transition from prison to the
11 community, and halfway back facilities designed to address the
12 needs of parole violators who need more restrictive sanctions.

13 (b) The department shall work with communities to plan,
14 develop, and operate facilities based on the latest research and
15 focused on successful reentry.

16 (c) The department shall develop a process to secure 2,500
17 community correctional center beds for nonserious and
18 nonviolent female offenders in the 2007–08 fiscal year, and
19 2,000 beds in the 2008–09 fiscal year. There shall be no more
20 than 200 beds in each facility.

21 (d) These facilities shall initially be located in Alameda,
22 Fresno, Los Angeles, Sacramento, San Bernardino, and San
23 Diego Counties, due to the significant number of female inmates
24 who are from these areas.

25 (e) Custody staff at these facilities shall be provided by
26 department personnel. *Correctional officers serving as custodial*
27 *staff shall not be permitted in residential or therapeutic areas of*
28 *the facilities.*

29 (f) The department shall provide a report to the Legislature by
30 June 30, 2011, on the effectiveness of community correctional
31 centers in rehabilitating female offenders.

1 *SEC. 2. (a) The Department of Corrections and*
2 *Rehabilitation shall not convert any of the following facilities*
3 *into facilities that house male inmates without first obtaining*
4 *legislative approval: Valley State Prison for Women in*
5 *Chowchilla, the Central California Women's Facility in*
6 *Chowchilla, and the California Institution for Women in Corona.*

7 *(b) In considering whether or not to approve a proposed*
8 *conversion, the Legislature shall take into account the*
9 *institution's proximity to urban areas and access to community*
10 *involvement and volunteer services, among other relevant*
11 *criteria.*

12 *SEC. 3. (a) It is the intent of the Legislature in adopting this*
13 *measure to do all of the following:*

14 *(1) Reduce crime and recidivism.*

15 *(2) Improve access to rehabilitation.*

16 *(3) Reduce overcrowding to allow for conditions that promote*
17 *effective rehabilitation.*

18 *(4) Ensure that resources directed to newly established*
19 *community correctional facilities do not diminish resources for*
20 *programming in traditional facilities.*

21 *(5) Ensure that women are placed close to their families and*
22 *services in the community in order to aid rehabilitation.*

23 *(b) Upon the one year anniversary of implementation of*
24 *community correctional facilities, the Department of Corrections*
25 *and Rehabilitation shall report to the Legislature with an*
26 *evaluation of program implementation, and any barriers to*
27 *implementation that were recognized.*

28 *(c) The Department of Corrections and Rehabilitation shall*
29 *ensure that community correctional facilities meet standards set*
30 *forth by court orders or receiverships that are placed on the*
31 *department, if community correctional facilities are not already*
32 *subject to those court orders or receiverships.*

33 *(d) There are no exemptions created by this measure in regard*
34 *to licensing requirements for community correctional facilities by*
35 *the Department of Alcohol and Drug Programs.*

O